

[Watch Live](#)

[Back](#)

[Bill Search & Legislative Information Home](#)

[Assembly Home](#)

Bill / Floor Vote Search

[New York State Laws](#)

[Legislative Calendar](#)

[Public Hearing Schedules](#)

[Assembly Calendars](#)

[Assembly Committee Agenda](#)

Bill No.:

- ☐ [Summary](#)
- ☐ Actions
- ☐ Votes
- ☐ Memo
- ☐ [Text](#)

- ([Printer friendly text](#))

A05449 Summary:

BILL NO A05449A

SAME AS Same as S 5433-A

SPONSOR Paulin (MS)

COSPNSR Markey, Sweeney, Titone, Moya, Ortiz, Rivera N, Rivera P

MLTSPNSR Boyland, Cahill, Gottfried, McEneny, Millman, Schimel, Thiele

Amd SS113, 117, 373, 374 & 350, Ag & Mkts L

Relates to the treatment and disposition of lost, stray or homeless animals.

[Go to top](#)

A05449 Text:

S T A T E O F N E W Y O R K

5449--A

2011-2012 Regular Sessions

I N A S S E M B L Y

February 18, 2011

Introduced by M. of A. PAULIN, MARKEY, SWEENEY, TITONE, ENLEBRIGHT, MOYA, ORTIZ, N. RIVERA, GABRYSZAK -- Multi-Sponsored by -- M. of A. BOYLAND, CAHILL, GOTTFRIED, MCENENY, MILLMAN, SCHIMEL, TEDISCO, THIELE -- read once and referred to the Committee on Agriculture -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law, in relation to the treatment and disposition of lost, stray or homeless animals

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Subdivision 4 of section 113 of the agriculture and markets
- 2 law, as amended by section 8 of part T of chapter 59 of the laws of
- 3 2010, is amended to read as follows:
- 4 4. Every dog control officer, peace officer, when acting pursuant to
- 5 [his] THE OFFICER'S special duties or police officer, OR SUCH OFFICER'S
- 6 AGENT, FOLLOWING ANY SEIZURE OF A DOG, OR ANY DULY INCORPORATED SOCIETY
- 7 FOR THE PREVENTION OF CRUELTY TO ANIMALS, DULY INCORPORATED HUMANE SOCI-
- 8 ETY, POUND OR SHELTER TAKING POSSESSION OF SUCH DOG shall [promptly
- 9 make]:
- 10 (A) AS SOON AS PRACTICABLE TAKE STEPS TO (1) CHECK THE DOG FOR ALL

11 CURRENTLY POSSIBLE FORMS OF IDENTIFICATION INCLUDING, BUT NOT LIMITED
12 TO, TAGS, MICROCHIPS, TATTOOS OR LICENSES; (2) COMPARE THE INFORMATION
13 KNOWN ABOUT THE DOG WITH RECORDS OF DOGS REPORTED TO BE LOST OR STOLEN
14 PURSUANT TO SECTION ONE HUNDRED TWELVE OF THIS ARTICLE; (3) MAKE AVAIL-
15 ABLE TO THE PUBLIC ON THE INTERNET ON A WEBSITE MAINTAINED BY OR OTHER-
16 WISE MADE AVAILABLE TO SUCH OFFICER, DULY INCORPORATED SOCIETY FOR THE
17 PREVENTION OF CRUELTY TO ANIMALS, DULY INCORPORATED HUMANE SOCIETY,
18 POUND OR SHELTER BY THE MUNICIPAL OR COUNTY GOVERNMENT IN WHICH SUCH
19 OFFICER OR ORGANIZATION IS LOCATED, OR ORGANIZATION APPROVED PURSUANT TO
20 SUBDIVISION THREE OF SECTION THREE HUNDRED SEVENTY-FOUR OF THIS CHAPTER,
21 AT LEAST DURING THE REDEMPTION PERIOD, A PHOTOGRAPH, IF PRACTICABLE, AND

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD03308-14-1

A. 5449--A

2

1 A GENERAL DESCRIPTION OF THE DOG TO ASSIST THE OWNER OR OWNERS IN FIND-
2 ING THE DOG, INCLUDING THE BREED OR BREEDS, IF KNOWN, THOUGH INFORMATION
3 ABOUT THE DOG MAY BE WITHHELD IF DEEMED APPROPRIATE TO FACILITATE FIND-
4 ING THE OWNER OR OWNERS OR OTHERWISE PROTECT THE SAFETY OF THE DOG. THE
5 NOTICE REQUIRED BY THIS PARAGRAPH MAY BE MADE BY MEANS OTHER THAN THE
6 INTERNET IF USE OF THE INTERNET IS IMPRACTICABLE.

7 (B) AS SOON AS PRACTICABLE AFTER THE OWNER OR OWNERS OF A DOG HAVE
8 BEEN DETERMINED, NOTIFY THE OWNER OR OWNERS OF SUCH DOG PERSONALLY OR BY
9 CERTIFIED MAIL, RETURN RECEIPT REQUESTED, OF THE FACTS OF THE DOG'S
10 IMPOUNDMENT AND THE PROCEDURE FOR REDEMPTION. IF NOTIFICATION IS
11 PERSONALLY GIVEN, SUCH DOG SHALL BE HELD FOR A PERIOD OF SEVEN DAYS
12 AFTER THE DATE OF NOTICE, DURING WHICH PERIOD THE DOG MAY BE REDEEMED BY
13 THE OWNER OR OWNERS. IF SUCH NOTIFICATION IS MADE BY MAIL, SUCH DOG
14 SHALL BE HELD FOR A PERIOD OF NINE DAYS FROM THE DATE OF MAILING, DURING
15 WHICH PERIOD THE DOG MAY BE REDEEMED BY THE OWNER OR OWNERS. IN EITHER
16 CASE, THE OWNER OR OWNERS MAY REDEEM SUCH DOG UPON PAYMENT OF THE
17 IMPOUNDMENT FEES PRESCRIBED BY SUBDIVISION FOUR OF SECTION ONE HUNDRED
18 SEVENTEEN OF THIS ARTICLE AND BY PRODUCING PROOF THAT SUCH DOG HAS BEEN
19 LICENSED.

20 (C) MAKE and maintain a complete record of any seizure and subsequent
21 disposition of any dog. Such record shall include, but not be limited
22 to, [a description of] ANY IDENTIFICATION FOUND ON the dog, INCLUDING
23 TAG, MICROCHIP, TATTOO OR LICENSE NUMBERS, THE BREED OR BREEDS, IF
24 KNOWN, APPROXIMATE SIZE AND WEIGHT, COLORING AND IDENTIFYING MARKS ON
25 THE DOG, the date and hour of seizure, the official identification
26 number of such dog, if any, the location where seized, the reason for
27 seizure, and the owner's name and address, if known.

28 S 2. Subdivisions 3, 4 and 11 of section 117 of the agriculture and
29 markets law, subdivisions 3 and 11 as added by chapter 220 of the laws
30 of 1978, such section as renumbered and subdivision 4 as amended by
31 section 12 of part T of chapter 59 of the laws of 2010, are amended to
32 read as follows:

33 3. [Each] FOR EACH dog seized in accordance with the provisions of
34 this article, THE DOG CONTROL OFFICER OR PEACE OFFICERS, ACTING PURSUANT
35 TO THEIR SPECIAL DUTIES, OR POLICE OFFICER IN THE EMPLOY OF OR UNDER
36 CONTRACT TO A MUNICIPALITY, OR ANY DULY INCORPORATED SOCIETY FOR THE
37 PREVENTION OF CRUELTY TO ANIMALS, DULY INCORPORATED HUMANE SOCIETY,
38 POUND OR SHELTER TAKING POSSESSION OF SUCH DOG, IN ADDITION TO COMPLYING
39 WITH THE PROVISIONS OF SUBDIVISION FOUR OF SECTION ONE HUNDRED THIRTEEN
40 OF THIS ARTICLE, shall [be]:

41 (A) INSPECT EACH DOG AS SOON AS PRACTICABLE FOLLOWING ANY SEIZURE AND
42 ENSURE DOGS ARE PROVIDED AT LEAST FOR THE REDEMPTION PERIOD WITH CARE
43 AND TREATMENT TO RELIEVE ANY PAIN AND SUFFERING, INCLUDING NECESSARY
44 IMMEDIATE VETERINARY CARE AND TREATMENT AND PARASITE CONTROL, AND APPRO-
45 PRIATE VACCINATIONS, AND

46 (B) properly [sheltered] SHELTER, [fed] FEED and [watered for the
47 redemption period as hereinafter provided] PROVIDE WATER.

48 4. Each dog which is not identified, whether or not licensed, shall be
49 held AT LEAST for a period of five days from the day seized during which
50 period the OFFICER, SOCIETY, POUND OR SHELTER SHALL COMPLY WITH THE
51 PROVISIONS OF SUBDIVISION THREE OF THIS SECTION, AND IN THE EVENT THE
52 OWNER OR OWNERS IS IDENTIFIED, THE HOLDING PERIOD SHALL BE EXTENDED
53 PURSUANT TO PARAGRAPH (B) OF SUBDIVISION FOUR OF SECTION ONE HUNDRED
54 THIRTEEN OF THIS ARTICLE. THE dog may be redeemed by its owner, provided
55 that such owner produces proof that the dog has been licensed and has
A. 5449--A 3

1 been identified pursuant to the provisions of this article and further
2 provided that the owner pays the following impoundment fees:

3 (a) not less than ten dollars for the first impoundment of any dog
4 owned by that person;

5 (b) not less than twenty dollars for the first twenty-four hours or
6 part thereof and three dollars for each additional twenty-four hours or
7 part thereof for the second impoundment, within one year of the first
8 impoundment, of any dog owned by that person; or

9 (c) not less than thirty dollars for the first twenty-four hours or
10 part thereof and three dollars for each additional twenty-four hours or
11 part thereof for the third and subsequent impoundments, within one year
12 of the first impoundment, of any dog owned by that person.

13 The impoundment fees set forth in paragraphs (a), (b) and (c) of this
14 subdivision notwithstanding, any municipality may set by local law or
15 ordinance such fees in any amount.

16 11. No liability in damages or otherwise shall be incurred on account
17 of the seizure, euthanization or adoption of any dog pursuant to the
18 provisions of this article, OR ON ACCOUNT OF THE TRANSFER OF ANY DOG TO
19 A RESCUE ORGANIZATION PURSUANT TO THIS ARTICLE AND SECTION THREE HUNDRED
20 SEVENTY-FOUR OF THIS CHAPTER.

21 S 3. Section 373 of the agriculture and markets law is amended by
22 adding a new subdivision 1-b to read as follows:

23 1-B. ANY PEACE OFFICER, WHEN ACTING PURSUANT TO THE OFFICER'S SPECIAL
24 DUTIES, POLICE OFFICER, OR SUCH OFFICER'S AGENT, ANY DULY INCORPORATED
25 SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, DULY INCORPORATED
26 HUMANE SOCIETY, POUND OR SHELTER, TAKING POSSESSION OF A LOST, STRAY OR
27 HOMELESS ANIMAL UNDER THE PROVISIONS OF THIS SECTION, SHALL:

28 A. AS SOON AS PRACTICABLE AFTER TAKING POSSESSION OF AN ANIMAL TAKE
29 STEPS TO:

30 (1) CHECK THE ANIMAL FOR ALL CURRENTLY POSSIBLE FORMS OF IDENTIFICA-
31 TION INCLUDING, BUT NOT LIMITED TO, TAGS, MICROCHIPS, TATTOOS OR
32 LICENSES;

33 (2) COMPARE THE INFORMATION KNOWN ABOUT THE ANIMAL WITH RECORDS OF
34 ANIMALS REPORTED TO BE LOST OR STOLEN PURSUANT TO SECTION ONE HUNDRED
35 TWELVE OF THIS CHAPTER;

36 (3) MAKE AVAILABLE TO THE PUBLIC ON THE INTERNET ON A WEBSITE MAIN-
37 TAINED BY OR OTHERWISE MADE AVAILABLE TO SUCH OFFICER, DULY INCORPORATED
38 SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, DULY INCORPORATED
39 HUMANE SOCIETY, POUND OR SHELTER BY THE MUNICIPAL OR COUNTY GOVERNMENT
40 IN WHICH SUCH OFFICER OR ORGANIZATION IS LOCATED, OR ORGANIZATION
41 APPROVED PURSUANT TO SUBDIVISION THREE OF SECTION THREE HUNDRED SEVEN-
42 TY-FOUR OF THIS ARTICLE, AT LEAST DURING THE REDEMPTION PERIOD, A PHOTO-
43 GRAPH, IF PRACTICABLE, AND A GENERAL DESCRIPTION OF THE ANIMAL TO ASSIST
44 THE OWNER OR OWNERS IN FINDING THE ANIMAL, INCLUDING THE SPECIES, TYPE,
45 AND BREED OR BREEDS, IF KNOWN, THOUGH INFORMATION ABOUT THE ANIMAL MAY
46 BE WITHHELD IF DEEMED APPROPRIATE TO FACILITATE FINDING THE OWNER OR
47 OWNERS OR OTHERWISE TO PROTECT THE SAFETY OF THE ANIMAL. THE NOTICE
48 REQUIRED BY THIS SUBPARAGRAPH MAY BE MADE BY MEANS OTHER THAN THE INTER-
49 NET IF USE OF THE INTERNET IS IMPRACTICABLE.

50 B. INSPECT EACH SUCH ANIMAL AS SOON AS PRACTICABLE AFTER TAKING
51 POSSESSION AND PROVIDE THE ANIMAL AT LEAST FOR THE REDEMPTION PERIOD
52 WITH CARE AND TREATMENT TO RELIEVE ANY PAIN AND SUFFERING, INCLUDING
53 NECESSARY IMMEDIATE VETERINARY CARE AND TREATMENT AND PARASITE CONTROL,
54 AND APPROPRIATE VACCINATIONS;

1 D. AS SOON AS PRACTICABLE AFTER THE OWNER OR OWNERS OF AN ANIMAL HAS
2 BEEN DETERMINED, NOTIFY THE OWNER OR OWNERS OF SUCH ANIMAL PERSONALLY OR
3 BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, OF THE FACTS OF THE
4 ANIMAL'S IMPOUNDMENT AND THE PROCEDURE FOR REDEMPTION. IF NOTIFICATION
5 IS PERSONALLY GIVEN, SUCH ANIMAL SHALL BE HELD FOR A PERIOD OF SEVEN
6 DAYS AFTER THE DATE OF NOTICE, DURING WHICH PERIOD THE ANIMAL MAY BE
7 REDEEMED BY THE OWNER OR OWNERS. IF SUCH NOTIFICATION IS MADE BY MAIL,
8 SUCH ANIMAL SHALL BE HELD FOR A PERIOD OF NINE DAYS FROM THE DATE OF
9 MAILING, DURING WHICH PERIOD THE ANIMAL MAY BE REDEEMED BY THE OWNER OR
10 OWNERS. IN EITHER CASE, THE OWNER OR OWNERS MAY REDEEM SUCH ANIMAL UPON
11 PAYMENT OF THE IMPOUNDMENT FEES PRESCRIBED BY SUBDIVISION FOUR OF
12 SECTION ONE HUNDRED SEVENTEEN OF THIS CHAPTER AND IN THE CASE OF A DOG,
13 BY PRODUCING PROOF THAT THE DOG HAS BEEN LICENSED; AND

14 E. MAKE AND MAINTAIN A COMPLETE RECORD OF THE INTAKE AND SUBSEQUENT
15 DISPOSITION OF SUCH ANIMAL. SUCH RECORD SHALL INCLUDE, BUT NOT BE LIMIT-
16 ED TO, ANY IDENTIFICATION FOUND ON THE ANIMAL, INCLUDING TAG, MICROCHIP,
17 TATTOO OR LICENSE NUMBERS, THE SPECIES, TYPE OR BREED OR BREEDS, IF
18 KNOWN, APPROXIMATE SIZE AND WEIGHT, COLORING AND IDENTIFYING MARKS ON
19 THE ANIMAL, THE DATE AND HOUR OF INTAKE, THE OFFICIAL IDENTIFICATION
20 NUMBER OF SUCH ANIMAL, THE LOCATION WHERE FOUND, THE REASON FOR INTAKE,
21 AND THE OWNER'S NAME AND ADDRESS, IF KNOWN.

22 F. EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER, WHERE THE OWNER OR
23 OWNERS OF AN ANIMAL HAS NOT BEEN IDENTIFIED, HOLD SUCH ANIMAL, WHETHER
24 OR NOT LICENSED, AT LEAST FOR A REDEMPTION PERIOD OF FIVE DAYS, DURING
25 WHICH PERIOD THE OFFICER, SOCIETY, POUND OR SHELTER SHALL COMPLY WITH
26 PARAGRAPHS A THROUGH E OF THIS SUBDIVISION. IN THE EVENT THE OWNER OR
27 OWNERS IS IDENTIFIED, THE HOLDING PERIOD SHALL BE EXTENDED PURSUANT TO
28 PARAGRAPH D OF THIS SUBDIVISION. THE ANIMAL MAY BE REDEEMED BY ITS OWNER
29 OR OWNERS, UPON PAYMENT OF THE IMPOUNDMENT FEES PRESCRIBED BY SUBDIVI-
30 SION FOUR OF SECTION ONE HUNDRED SEVENTEEN OF THIS CHAPTER AND IN THE
31 CASE OF A DOG, BY PRODUCING PROOF THAT THE DOG HAS BEEN LICENSED OR BY
32 PURCHASING A LICENSE AT THE SOCIETY, ANIMAL SHELTER, OR POUND FROM WHICH
33 THE OWNER OR OWNERS IS REDEEMING SUCH DOG. NOTWITHSTANDING THE FOREGO-
34 ING, ANIMALS MAY BE PLACED SOONER THAN FIVE DAYS WITH AN ANIMAL RESCUE
35 ORGANIZATION OR INDIVIDUAL ON THE LIST AS PROVIDED IN SUBDIVISION THREE
36 OF SECTION THREE HUNDRED SEVENTY-FOUR OF THIS ARTICLE, SUBJECT TO
37 REDEMPTION BY THE OWNER OR OWNERS AS DESCRIBED IN THIS PARAGRAPH.

38 S 4. Section 374 of the agriculture and markets law, as added by chap-
39 ter 545 of the laws of 1971, subdivisions 1 and 2 as amended by chapter
40 449 of the laws of 2010, subdivisions 3 and 4 as added, paragraph e of
41 subdivision 8 as amended and subdivisions 7 and 8 as renumbered by chap-
42 ter 479 of the laws of 2009, subdivisions 5 and 6 as amended by chapter
43 83 of the laws of 2011, subdivision 8 as added by chapter 569 of the
44 laws of 1995, paragraph a of subdivision 8 as amended by chapter 594 of
45 the laws of 2003 and paragraph b of subdivision 8 as amended by chapter
46 419 of the laws of 2010, is amended to read as follows:

47 S 374. Humane destruction or other disposition of animals lost,
48 strayed, homeless, abandoned or improperly confined or kept. 1. Any
49 agent or officer of any duly incorporated humane society, a duly incor-
50 porated society for the prevention of cruelty to animals, any dog
51 control officer, or any police officer, may lawfully cause to be humane-
52 ly destroyed (by means provided for in paragraph a of subdivision
53 [three] FOUR of this section) any animal found abandoned [and], OR not
54 properly cared for, or any lost, strayed, homeless or unwanted animal[,]
55 if upon examination a licensed veterinarian shall certify in writing, or
A. 5449--A 5

1 if two reputable citizens called upon by such agent, officer or police
2 officer to view the same in his or her presence find:

3 A. that the animal is so maimed, diseased, disabled, or infirm so as
4 to be [unfit for any useful purpose] SUFFERING IRREMEDIAL PHYSICAL OR

5 PSYCHOLOGICAL PAIN and that humane euthanasia is warranted; or [after
6 such agent, officer or police officer has obtained in writing from the
7 owner of such animal his or her consent to such destruction]

8 B. THAT HUMANE EUTHANASIA IS NECESSARY TO ALLEVIATE A CONTAGIOUS,
9 DEADLY HEALTH CONDITION; OR

10 C. EXCEPT AS SET FORTH IN SUBDIVISION THREE OF THIS SECTION, THE OWNER
11 OF SUCH ANIMAL HAS GIVEN HIS OR HER WRITTEN CONSENT TO SUCH DESTRUCTION
12 TO SUCH AGENT, OFFICER OR POLICE OFFICER.

13 2. In the absence of such findings or certification, a duly incorpo-
14 rated humane society, a duly incorporated society for the prevention of
15 cruelty to animals, ANIMAL SHELTER, or any pound maintained by or under
16 contract or agreement with any county, city, town or village may after
17 five days make available for adoption, PLACE WITH AN ORGANIZATION ON A
18 LIST OF APPROVED ORGANIZATIONS THAT IS MAINTAINED PURSUANT TO SUBDI-
19 VISION THREE OF THIS SECTION or have humanely destroyed SUBJECT TO AND in
20 accordance with the provisions of this section and [subject to] PARA-
21 GRAPH (B) OF SUBDIVISION FOUR OF SECTION ONE HUNDRED THIRTEEN, AND
22 subdivisions FOUR, six, eight and nine of section one hundred [eighteen]
23 SEVENTEEN of this chapter, AND PARAGRAPHS D AND E OF SUBDIVISION ONE-B
24 OF SECTION THREE HUNDRED SEVENTY-THREE OF THIS ARTICLE, any animal of
25 which possession is taken as provided for in the preceding section,
26 unless the same is earlier redeemed by its owner.

27 3. a. ANY IMPOUNDING ORGANIZATION, AS DEFINED IN SUBDIVISION SIX OF
28 SECTION THREE HUNDRED FIFTY OF THIS ARTICLE, SHALL MAINTAIN A LIST OF
29 APPROVED ANIMAL RESCUE ORGANIZATIONS WILLING TO ACCEPT ANIMALS FOR THE
30 PURPOSE OF ADOPTION, INCLUDING BREED-SPECIFIC RESCUES, OR TO PROVIDE THE
31 ANIMALS WITH APPROPRIATE LONG-TERM PLACEMENT AND CARE.

32 B. THE LIST SHALL INCLUDE THE FOLLOWING INFORMATION ABOUT EACH SUCH
33 ORGANIZATION:

34 (1) NAME, ADDRESS, PHONE NUMBER OR NUMBERS AND EMAIL ADDRESS OR
35 ADDRESSES; AND NAME OR NAMES AND CONTACT INFORMATION FOR THE PRIMARY
36 PERSON TO BE CONTACTED PURSUANT TO THE REQUIREMENTS OF THIS SUBDIVISION,
37 AND FOR ONE ADDITIONAL PERSON TO SERVE AS A SECONDARY PERSON IN THE
38 EVENT THE PRIMARY PERSON IS UNAVAILABLE;

39 (2) SPECIES, TYPES AND BREEDS OF ANIMALS THE ORGANIZATION IS WILLING
40 TO ACCEPT;

41 (3) ANY RESOURCES AVAILABLE TO THE ORGANIZATION INCLUDING VETERINARY,
42 REHABILITATIVE OR OTHER CARE; CARE FOR SPECIAL-NEEDS ANIMALS, TRAINING
43 OR BEHAVIOR MODIFICATION PROGRAMS, INCLUDING THE NAMES AND CREDENTIALS
44 OF TRAINERS OR BEHAVIORISTS; OR APPROPRIATE SANCTUARY OR LONG-TERM
45 PLACEMENT AND CARE;

46 (4) RECORD OF THE ORGANIZATION'S DESIGNATION UNDER SECTION 501(C)(3)
47 OF THE INTERNAL REVENUE CODE.

48 C. ANIMAL RESCUE ORGANIZATIONS THAT ARE DESIGNATED UNDER SECTION
49 501(C)(3) OF THE INTERNAL REVENUE CODE MAY BE MAINTAINED ON THE LIST BY
50 PROVIDING CURRENT INFORMATION AS SET FORTH IN PARAGRAPH B OF THIS SUBDI-
51 VISION AND SUBJECT TO APPROVAL BY THE IMPOUNDING ORGANIZATION AS SET
52 FORTH IN THIS SUBDIVISION. IT SHALL BE THE RESPONSIBILITY OF THE ANIMAL
53 RESCUE ORGANIZATION TO PROVIDE THE IMPOUNDING ORGANIZATIONS WITH CURRENT
54 INFORMATION REQUIRED BY PARAGRAPH B OF THIS SUBDIVISION.

55 D. THE IMPOUNDING ORGANIZATION SHALL MAKE THE CURRENT LIST OF ANIMAL
56 RESCUE ORGANIZATIONS AVAILABLE TO ALL STAFF AND THE PUBLIC ON THE INTER-
A. 5449--A

1 NET ON A WEBSITE MAINTAINED BY OR OTHERWISE MADE AVAILABLE TO SUCH
2 IMPOUNDING ORGANIZATION BY THE MUNICIPAL OR COUNTY GOVERNMENT IN WHICH
3 SUCH IMPOUNDING ORGANIZATION IS LOCATED, OR ANIMAL RESCUE ORGANIZATION
4 APPROVED PURSUANT TO THIS SUBDIVISION. THE NOTICE REQUIRED BY THIS PARA-
5 GRAPH MAY BE MADE BY MEANS OTHER THAN THE INTERNET IF USE OF THE INTER-
6 NET IS IMPRACTICABLE.

7 E. EXCEPT AS SET FORTH IN PARAGRAPH M OF THIS SUBDIVISION, IN CONSID-
8 ERING WHETHER TO INCLUDE AN ANIMAL RESCUE ORGANIZATION ON THE LIST, THE
9 IMPOUNDING ORGANIZATION SHALL CONSIDER WHETHER SUCH ANIMAL RESCUE ORGAN-
10 IZATION: (1) HAS THE RESOURCES TO PROVIDE AND WILL PROVIDE THE ANIMALS

11 REQUESTED TO BE TRANSFERRED WITH CLEAN, SANITARY AND ADEQUATE SHELTER,
12 FOOD, AND WATER, APPROPRIATE EXERCISE, NECESSARY VETERINARY CARE AND
13 TREATMENT, INCLUDING VACCINATIONS AND PARASITE CONTROL, AND A SAFE ENVI-
14 RONMENT; (2) MAINTAINS A PROTOCOL FOR CONTAINING AND MANAGING CONTAGIOUS
15 ILLNESS AND DISEASE; (3) MAINTAINS AN ACTIVE ADOPTION OR PLACEMENT
16 PROGRAM OR FACILITIES APPROPRIATE FOR LONG-TERM PLACEMENT; (4) MANAGES
17 ANIMALS TO MINIMIZE RISK OF INJURY TO THE ANIMALS AND THE PUBLIC; (5)
18 MANAGES ITS OPERATIONS SO THAT ANIMALS ARE NOT AT RISK FOR ABUSE OR
19 NEGLECT OR FOR USE IN ANIMAL FIGHTING OR RESEARCH, EXPERIMENTATION OR
20 TESTING; (6) HAS KNOWINGLY MADE ANY MATERIAL MISREPRESENTATIONS OR MATE-
21 RIAL FALSE STATEMENTS TO THE IMPOUNDING ORGANIZATION; AND (7) AVOIDS
22 BEHAVIOR THAT IS ABUSIVE TO THE IMPOUNDING ORGANIZATION'S STAFF OR
23 DISRUPTS OR INTERFERES WITH THE IMPOUNDING ORGANIZATION'S LAWFUL OPER-
24 ATIONS.

25 F. THE IMPOUNDING ORGANIZATION SHALL HAVE THE RIGHT TO INSPECT THE
26 FACILITIES, ANIMAL MAINTENANCE RECORDS AND ANIMALS OF THE ANIMAL RESCUE
27 ORGANIZATION, INCLUDING REQUESTING TO VISIT FOSTER HOMES, FROM TIME TO
28 TIME, AT REASONABLE TIMES, TO DETERMINE WHETHER THE ANIMAL RESCUE ORGAN-
29 IZATION SHOULD BE APPROVED AND ALSO MAINTAINED ON THE LIST. THE ANIMAL
30 RESCUE ORGANIZATION SHALL COOPERATE IN PROVIDING INFORMATION THE
31 IMPOUNDING ORGANIZATION MAY REASONABLY REQUIRE TO MAKE THE DETERMINATION
32 DESCRIBED IN THIS SUBDIVISION. THE FIRST SUCH INSPECTION TO QUALIFY THE
33 ANIMAL RESCUE ORGANIZATION FOR THE LIST INITIALLY MUST BE COMPLETED
34 WITHIN FORTY-FIVE DAYS OF THE DATE THE ANIMAL RESCUE ORGANIZATION
35 SUBMITS A REQUEST FOR INCLUSION ON THE LIST AND INFORMATION AS DESCRIBED
36 IN PARAGRAPHS B AND C OF THIS SUBDIVISION.

37 G. THE APPROVAL OF THE IMPOUNDING ORGANIZATION SHALL NOT BE UNREASON-
38 ABLY WITHHELD. THE IMPOUNDING ORGANIZATION SHALL STATE IN WRITING,
39 SIGNED BY THE MANAGING DIRECTOR OR OFFICER, OR THE APPOINTED AGENT OF
40 THE MANAGING DIRECTOR OR OFFICER, THE REASONS WHY AN ANIMAL RESCUE
41 ORGANIZATION DOES NOT MEET THE CRITERIA SET FORTH IN PARAGRAPH F OF THIS
42 SUBDIVISION AND IS NOT APPROVED OR IS NOT APPROVED FOR SOME OR ALL
43 ANIMALS, OR HAS BEEN REMOVED FROM THE LIST. THE REASONS, INCLUDING ANY
44 ACTS OR OMISSIONS, THAT HAVE RESULTED IN DISAPPROVAL, SHOULD BE STATED
45 WITH SUFFICIENT SPECIFICITY TO INFORM THE ANIMAL RESCUE ORGANIZATION OF
46 THE PARTICULAR CRITERIA THAT HAVE NOT BEEN MET AND ANY ACTS OR OMISSIONS
47 THAT HAVE RESULTED IN DISAPPROVAL, AND THE ACTIONS REQUIRED FOR
48 APPROVAL, IF POSSIBLE. AS SOON AS PRACTICABLE, A COPY OF SUCH WRITTEN
49 DOCUMENT SHALL BE PROVIDED TO THE ANIMAL RESCUE ORGANIZATION THAT IS NOT
50 APPROVED OR THAT HAS BEEN REMOVED FROM THE LIST.

51 H. THE ANIMAL RESCUE ORGANIZATION THAT IS NOT APPROVED OR REMOVED FROM
52 THE LIST PURSUANT TO PARAGRAPHS E, F AND G OF THIS SUBDIVISION, MAY, AT
53 ANY TIME, DEMONSTRATE THAT THE REASONS STATED FOR DENYING APPROVAL HAVE
54 BEEN REMEDIED AND REQUEST APPROVAL FOR PLACEMENT ON THE LIST AS PROVIDED
55 IN THIS SUBDIVISION. THE IMPOUNDING ORGANIZATION SHALL COOPERATE BY
56 PROVIDING REINSPECTIONS, IF NECESSARY, AS SOON AS PRACTICABLE AFTER A
A. 5449--A

1 REQUEST FOR RECONSIDERATION BY THE ANIMAL RESCUE ORGANIZATION, TO DETER-
2 MINE IF THE ANIMAL RESCUE ORGANIZATION IS APPROVED. A DECISION TO
3 CONTINUE TO DENY APPROVAL TO SUCH ANIMAL RESCUE ORGANIZATION MUST BE IN
4 WRITING CONSISTENT WITH THE REQUIREMENTS OF PARAGRAPH G OF THIS SUBDIVI-
5 SION AND A COPY OF SAME PROVIDED TO THE ORGANIZATION. AN IMPOUNDING
6 ORGANIZATION SHALL NOT BE REQUIRED TO CONSIDER AN ANIMAL RESCUE ORGAN-
7 IZATION FOR PLACEMENT ON THE LIST MORE THAN TWICE ANNUALLY.

8 I. NO ANIMAL SHALL BE EUTHANIZED AS DESCRIBED IN SUBDIVISION TWO OF
9 THIS SECTION UNLESS THE IMPOUNDING ORGANIZATION CERTIFIES IN WRITING
10 SIGNED BY THE IMPOUNDING ORGANIZATION'S MANAGING DIRECTOR OR OFFICER, OR
11 THE APPOINTED AGENT OF THE MANAGING DIRECTOR OR OFFICER, THAT: (1) THE
12 IMPOUNDING ORGANIZATION HAS CONTACTED EACH OF THE ANIMAL RESCUE ORGAN-
13 IZATIONS APPROVED FOR THE SPECIES, TYPE OR BREED OF ANIMAL; AND (2) THAT
14 NONE OF THE ANIMAL RESCUE ORGANIZATIONS CONTACTED WERE WILLING AND ABLE
15 TO ACCEPT TRANSFER OF THE ANIMAL, OR IF AN ANIMAL RESCUE ORGANIZATION
16 CONTACTED DID NOT RESPOND OR FAILED TO PICK UP OR ACCEPT TRANSFER OF AN

17 ANIMAL AFTER AGREEING TO DO SO, THAT THE ANIMAL RESCUE ORGANIZATION WAS
18 CONTACTED AT THE METHODS OF CONTACT PROVIDED IN THE LIST PURSUANT TO
19 SUBPARAGRAPH ONE OF PARAGRAPH B OF THIS SUBDIVISION, AND AT THE END OF
20 THE REDEMPTION PERIOD OR AFTER TWO DAYS FOLLOWING THE LAST CONTACT, NOT
21 INCLUDING THE DAY OF CONTACT, WHICHEVER IS LONGER, THERE WAS NO RESPONSE
22 OR NO CONFIRMATION THAT THE ANIMAL RESCUE ORGANIZATION WAS WILLING AND
23 ABLE TO ACCEPT TRANSFER OF THE ANIMAL, OR THE ANIMAL RESCUE ORGANIZATION
24 FAILED TO PICK UP OR ACCEPT TRANSFER OF THE ANIMAL. A COPY OF SUCH
25 CERTIFICATION SHALL BE MAINTAINED FOR TWO YEARS AND AVAILABLE TO THE
26 PUBLIC UPON REQUEST. THIS PARAGRAPH SHALL NOT APPLY TO EUTHANASIA
27 PERFORMED PURSUANT TO SUBDIVISIONS ONE AND FIVE OF THIS SECTION. AN
28 IMPOUNDING ORGANIZATION IS NOT REQUIRED TO CONTACT AN ANIMAL RESCUE
29 ORGANIZATION ON THE LIST ABOUT TAKING ANIMALS THAT ARE A SPECIES, TYPE
30 OR BREED THAT THE ANIMAL RESCUE ORGANIZATION DID NOT PREVIOUSLY INDICATE
31 PURSUANT TO SUBPARAGRAPH TWO OF PARAGRAPH B OF THIS SUBDIVISION THAT
32 THEY WOULD ACCEPT, OR ARE ANIMALS FOR WHICH THE IMPOUNDING ORGANIZATION
33 DID NOT APPROVE THE ANIMAL RESCUE ORGANIZATION.

34 J. THE IMPOUNDING ORGANIZATION MAY CHARGE A REASONABLE ADOPTION FEE
35 FOR EACH ANIMAL TRANSFERRED TO AN ANIMAL RESCUE ORGANIZATION ON THE LIST
36 AND WHICH DOES NOT EXCEED THE ADOPTION FEE THAT WOULD BE CHARGED TO
37 ADOPTERS.

38 K. AN ANIMAL THAT HAS BEEN DETERMINED BY A COURT HAVING COMPETENT
39 JURISDICTION TO BE DANGEROUS PURSUANT TO THE PROVISIONS OF SECTION ONE
40 HUNDRED TWENTY-THREE OF THIS CHAPTER, SHALL BE ELIGIBLE ONLY FOR TRANS-
41 FER TO AN ANIMAL RESCUE ORGANIZATION THAT CAN MEET THE REQUIREMENTS AS
42 ORDERED BY A COURT UNDER SECTION ONE HUNDRED TWENTY-THREE OF THIS CHAP-
43 TER FOR THE CARE AND HANDLING OF SUCH ANIMAL.

44 L. THE PROVISIONS OF THIS SUBDIVISION SHALL NOT APPLY TO ANIMALS THAT
45 IMPOUNDING ORGANIZATIONS HAVE ACCEPTED FROM OWNERS ONLY FOR THE PURPOSE
46 OF HUMANE EUTHANASIA.

47 M. IMPOUNDING ORGANIZATIONS MAY BUT ARE NOT REQUIRED TO INCLUDE ON THE
48 LIST ANIMAL RESCUE ORGANIZATIONS LOCATED OUTSIDE OF THE IMPOUNDING
49 ORGANIZATION'S COUNTY OR ADJOINING COUNTIES IN THE STATE OF NEW YORK.

50 N. NOTWITHSTANDING THE REQUIREMENTS OF THIS SUBDIVISION, IMPOUNDING
51 ORGANIZATIONS THAT IMPOUNDED, SEIZED, OR OTHERWISE TOOK IN FEWER THAN
52 ONE HUNDRED ANIMALS IN THE PRECEDING CALENDAR YEAR SHALL NOT BE REQUIRED
53 TO MAINTAIN MORE THAN THREE ANIMAL RESCUE ORGANIZATIONS ON THE LIST AT
54 ANY TIME.

55 4. A. Except as provided in subdivision [four] FIVE of this section,
56 euthanasia of animals pursuant to this section shall be accomplished
A. 5449--A

8

1 solely by means of injection of sodium pentobarbital or sodium pentobar-
2 bital solution administered by a certified euthanasia technician, a
3 licensed veterinarian or a licensed veterinary technician. Euthanasia
4 by intracardiac injection of sodium pentobarbital or sodium pentobarbi-
5 tal solution shall be performed only upon animals that are heavily
6 sedated, anesthetized, or comatose. However, only a licensed veterinari-
7 an may perform euthanasia by intracardiac injection of sodium pentobar-
8 bital or sodium pentobarbital solution upon animals that are not heavily
9 sedated, anesthetized or comatose and only when such licensed veterina-
10 rian determines that such intracardiac injection is the most humane
11 option available. Whenever a cardiac injection of sodium pentobarbital
12 or sodium pentobarbital solution is administered by a licensed veterina-
13 rian upon an animal that is not heavily sedated, anesthetized or coma-
14 tose, such veterinarian must document, in writing, the administration of
15 such injection and the reason for its administration. Such documentation
16 shall be retained for at least three years. Under no circumstances shall
17 intracardiac injection be performed on animals that are not heavily
18 sedated, anesthetized or comatose where such animals are under the care
19 of any duly incorporated society for the prevention of cruelty to
20 animals, animal shelter, humane society or pound.

21 b. No animal shall be left unattended between the time that the eutha-
22 nasia procedure begins and the time when death is confirmed. The body of

23 a euthanized animal shall not be disposed of in any manner until death
24 is confirmed by a licensed veterinarian, a certified euthanasia techni-
25 cian or a licensed veterinary technician. Violations of this paragraph
26 shall be punishable by a civil penalty of not more than five hundred
27 dollars.

28 The department of health shall promulgate regulations deemed necessary
29 for implementation of the provisions of this subdivision, including
30 regulations governing the training and certification of certified eutha-
31 nasia technicians.

32 [4.] 5. a. Any method of euthanasia other than that provided for in
33 subdivision [three] FOUR of this section is prohibited except that
34 euthanasia of an animal by gunshot is permissible as an emergency meas-
35 ure for an animal that is posing an imminent threat of serious physical
36 injury to a person or to another animal as provided in section one
37 hundred [twenty-one-a] TWENTY-THREE-A of this chapter and where the use
38 of a humane method of euthanasia prescribed in this section is rendered
39 impossible or where a severely injured animal is suffering and cannot
40 otherwise be aided.

41 b. Within ninety days of the effective date of this subdivision, any
42 chamber used to induce hypoxia by means of a lethal gas shall be disman-
43 tled, rendered inoperable and beyond repair, and removed from the prem-
44 ises. Violations of this paragraph shall be punishable by a civil penal-
45 ty of not more than five hundred dollars.

46 [5.] 6. No person shall release any [dog or cat] ANIMAL from the
47 custody or control of any pound, shelter, DULY INCORPORATED society for
48 the prevention of cruelty to animals, DULY INCORPORATED humane society,
49 [dog] DULY INCORPORATED ANIMAL protective association, dog OR ANIMAL
50 control officer, peace officer or any agent thereof, for any purpose
51 except adoption or redemption by its owner, PLACEMENT WITH AN ANIMAL
52 RESCUE ORGANIZATION ON A LIST MAINTAINED PURSUANT TO SUBDIVISION THREE
53 OF THIS SECTION, OR PLACEMENT FOR THE PURPOSE OF PROVIDING TEMPORARY
54 SHELTER PENDING RESOLUTION OF LITIGATION INVOLVING SUCH ANIMAL;
55 provided, however, that after the time for redemption has expired,
56 release may be made to another such [pound, duly incorporated society
A. 5449--A

1 for the prevention of cruelty to animals, duly incorporated humane soci-
2 ety or duly incorporated animal protective association] IMPOUNDING
3 ORGANIZATION for the sole purpose of placing such animal in an adoptive
4 home when such action is reasonably believed to improve the opportunity
5 for adoption. Notwithstanding the penalties set forth in paragraph b of
6 subdivision [three] FOUR of this section and paragraph b of subdivision
7 [four] FIVE of this section, any violation of this subdivision, subdivi-
8 sion two, [three or] four, OR FIVE of this section, shall constitute a
9 misdemeanor and shall be punishable by imprisonment for not more than
10 one year, or by a fine of not more than one thousand dollars, or by
11 both.

12 [6.] 7. In lieu of such destruction, redemption or other disposition
13 pursuant to this section, such [pound, shelter, or society] IMPOUNDING
14 ORGANIZATION may, in its discretion, lawfully and without liability,
15 deliver such animal for adoption to an individual other than the owner
16 OR AN ANIMAL RESCUE ORGANIZATION ON THE IMPOUNDING ORGANIZATION'S LIST
17 AS REQUIRED BY THIS SECTION after the time for redemption has expired.

18 [7.] 8. Prior to such destruction or other disposition, the owner of
19 the animal may redeem the same upon proving title to the satisfaction of
20 such society and paying such society such amount, approved by a magis-
21 trate, as may have been reasonably expended by such society in
22 connection with the care and maintenance thereof.

23 [8.] 9. a. In addition to any other penalty provided by law, upon
24 conviction for any violation of section three hundred fifty-one, three
25 hundred fifty-three, three hundred fifty-three-a, three hundred fifty-
26 three-b, three hundred fifty-five, three hundred fifty-six, three
27 hundred fifty-nine, three hundred sixty, three hundred sixty-one, three
28 hundred sixty-five or three hundred sixty-eight of this article, the

29 convicted person may, after a duly held hearing pursuant to paragraph f
30 of this subdivision, be ordered by the court to forfeit, to a duly
31 incorporated society for the prevention of cruelty to animals or a duly
32 incorporated humane society or authorized agents thereof, the animal or
33 animals which are the basis of the conviction. Upon such an order of
34 forfeiture, the convicted person shall be deemed to have relinquished
35 all rights to the animals which are the basis of the conviction, except
36 those granted in paragraph d of this subdivision.

37 b. Pursuant to the provisions of subdivisions two, three, four [and],
38 five, AND SIX of this section, no animal in the custody of a duly incor-
39 porated society for the prevention of cruelty to animals, a duly incor-
40 porated humane society, duly incorporated animal protective association,
41 ANIMAL SHELTER OR pound or its authorized agents thereof, OR AN ANIMAL
42 RESCUE ORGANIZATION ON A LIST AS DESCRIBED IN SUBDIVISION THREE OF THIS
43 SECTION, OR THEIR AUTHORIZED AGENTS, shall be sold, transferred or
44 otherwise made available to any person for the purpose of research,
45 experimentation or testing. No authorized agent of a duly incorporated
46 society for the prevention of cruelty to animals, nor of a duly incorpo-
47 rated humane society, duly incorporated animal protective association
48 [or], ANIMAL SHELTER, pound, OR ANIMAL RESCUE ORGANIZATION ON A LIST AS
49 DESCRIBED IN SUBDIVISION THREE OF THIS SECTION, shall use any animal
50 placed in its custody by the duly incorporated society for the
51 prevention of cruelty to animals or duly incorporated humane society,
52 DULY INCORPORATED ANIMAL PROTECTIVE ASSOCIATION, ANIMAL SHELTER, POUND,
53 OR ANIMAL RESCUE ORGANIZATION ON A LIST AS DESCRIBED IN SUBDIVISION
54 THREE OF THIS SECTION, OR THEIR AGENTS, for the purpose of research,
55 experimentation or testing.

A. 5449--A

10

1 c. The court may additionally order that the convicted person or any
2 person dwelling in the same household who conspired, aided or abetted in
3 the unlawful act which was the basis of the conviction, or who knew or
4 should have known of the unlawful act, shall not own, harbor, or have
5 custody or control of any other animals, other than farm animals, for a
6 period of time which the court deems reasonable.

7 d. In the case of farm animals, the court may, in addition to the
8 forfeiture to a duly incorporated society for the prevention of cruelty
9 to animals or a duly incorporated humane society or authorized agents
10 thereof, and subject to the restrictions of sections three hundred
11 fifty-four and three hundred fifty-seven of this article, order the farm
12 animals which were the basis of the conviction to be sold. In no case
13 shall farm animals which are the basis of the conviction be redeemed by
14 the convicted person who is the subject of the order of forfeiture or by
15 any person dwelling in the same household who conspired, aided or abet-
16 ted in the unlawful act which was the basis of the conviction, or who
17 knew or should have known of the unlawful act. The court shall reimburse
18 the convicted person and any duly determined interested persons, pursu-
19 ant to paragraph f of this subdivision, any money earned by the sale of
20 the farm animals less any costs including, but not limited to, veteri-
21 nary and custodial care, and any fines or penalties imposed by the
22 court. The court may order that the subject animals be provided with
23 appropriate care and treatment pending the hearing and the disposition
24 of the charges. Any farm animal ordered forfeited but not sold shall be
25 remanded to the custody and charge of a duly incorporated society for
26 the prevention of cruelty to animals or duly incorporated humane society
27 or its authorized agent thereof and disposed of pursuant to paragraph e
28 of this subdivision.

29 e. A duly incorporated society for the prevention of cruelty to
30 animals or a duly incorporated humane society in charge of animals
31 forfeited pursuant to paragraph a of this subdivision may, in its
32 discretion, lawfully and without liability, adopt them to individuals
33 other than the convicted person or person dwelling in the same household
34 who conspired, aided or abetted in the unlawful act which was the basis
35 of the conviction, or who knew or should have known of the unlawful act,

36 PLACE THEM WITH AN ANIMAL RESCUE ORGANIZATION ON A LIST AS DESCRIBED IN
37 SUBDIVISION THREE OF THIS SECTION, or IF NO SUCH ANIMAL RESCUE ORGANIZA-
38 TION IS WILLING OR ABLE TO ACCEPT THE ANIMALS AND THE SOCIETY HAS
39 COMPLIED WITH THE REQUIREMENTS OF PARAGRAPH I OF SUBDIVISION THREE OF
40 THIS SECTION, humanely dispose of them according to the provisions of
41 subdivisions two, [three,] four [and], five AND SIX of this section.

42 f. (1) Prior to an order of forfeiture of farm animals, a hearing
43 shall be held within thirty days of conviction, to determine the pecuni-
44 ary interests of any other person in the farm animals which were the
45 basis of the conviction. Written notice shall be served at least five
46 days prior to the hearing upon all interested persons. In addition,
47 notice shall be made by publication in a local newspaper at least seven
48 days prior to the hearing. For the purposes of this subdivision, inter-
49 ested persons shall mean any individual, partnership, firm, joint stock
50 company, corporation, association, trust, estate, or other legal entity
51 who the court determines may have a pecuniary interest in the farm
52 animals which are the subject of the forfeiture action.

53 (2) All interested persons shall be provided an opportunity at the
54 hearing to redeem their interest as determined by the court in the
55 subject farm animals and to purchase the interest of the convicted
56 person. The convicted person shall be entitled to be reimbursed his

A. 5449--A

11

1 interest in the farm animals, less any costs, fines or penalties imposed
2 by the court, as specified under paragraph d of this subdivision. In no
3 case shall the court award custody or control of the animals to any
4 interested person who conspired, aided or abetted in the unlawful act
5 which was the basis of the conviction, or who knew or should have known
6 of the unlawful act.

7 g. Nothing in this section shall be construed to limit or restrict in
8 any way the rights of a secured party having a security interest in any
9 farm animal described in this section. This section expressly does not
10 impair or subordinate the rights of such a secured lender having a secu-
11 rity interest in farm animals or in the proceeds from the sale of such
12 farm animals.

13 S 5. Section 350 of the agriculture and markets law is amended by
14 adding a new subdivision 6 to read as follows:

15 6. "IMPOUNDING ORGANIZATION" MEANS ANY DULY INCORPORATED HUMANE SOCIE-
16 TY, DULY INCORPORATED SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS,
17 ANIMAL SHELTER OR POUND MAINTAINED BY OR UNDER CONTRACT OR AGREEMENT
18 WITH ANY COUNTY, CITY, TOWN OR VILLAGE, THAT TAKES POSSESSION OF ABAN-
19 DONED, NOT PROPERLY CARED FOR, LOST, STRAY OR HOMELESS ANIMALS, OR
20 ANIMALS THAT HAVE BEEN SURRENDERED BY THE OWNER OR OWNERS.

21 S 6. This act shall take effect on the one hundred eightieth day after
22 it shall have become a law.

[Go to top](#)